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PLATO AND THE JUDGE OF CONDUCT.

RUPERT CLENDON LODGE.

TO the enquiry, Who is the judge in ethical questions according to Plato, two diverse answers are given in the history of Platonism. For Shaftesbury, as for the Cambridge Platonists, it is plain that every man has a moral "sense," and thus *every man* is the judge, according to their reading of Plato. For later Platonism (*e.g.*, at the present day) it is almost axiomatic that *only the philosopher* is the judge of conduct, according to the Platonic dialogues. These two viewpoints, as commonly understood by their advocates, cannot both be true, and it may be that both are false. It is the object of the present paper to re-open the question, and find out, if possible, precisely who is entitled, according to Plato's express teaching, to pass judgment upon questions of conduct.

In the dialogues themselves, we find a number of replies: (1) Everyone, (2) The many, (3) The interlocutor, (4) The good man (just man, man of character and moral education, *etc.*), (5) The experienced man, (6) The wise man, (7) The philosopher (dialectician, man of knowledge, understanding, or reason), (8) The legislator or guardian. Under these eight heads is concentrated all the evidence relative to the question, and it should be possible, by proceeding inductively and taking somewhat in detail the various answers grouped under each head, eventually to arrive at a point where the general Platonic answer to the main question—if there is any such general question and general answer—can be formulated and verified. Such somewhat detailed examination with the hope of discovering the general outlines of the Platonic position on this question, is the aim of the present paper.

1. *Everyone*. In the first place, it is frequently stated, sometimes by Socrates, sometimes by his interlocutors, that some form of moral sense is universal, that "every-

one" is rightly regarded as a judge in matters of conduct. Just what is the Platonic attitude on this point? Stated negatively, Plato seems to mean that moral judgment is not a matter for a few technical experts. It does not require a long apprenticeship or elaborate specialized education, such as is necessary to acquire sound judgment in architecture, shipbuilding, *etc.* It is not a prerogative of noble birth and social position, and is entirely independent of economic status. More positively, a moral sense is strictly universal. Every citizen possesses it, and, like language, it is an attribute of humanity as such. We all have the root of the matter in us, an "eye of the soul," a sense of honor and justice. We all foster its development, in our contemporaries and especially in the rising generation, by word and deed, by public law, and by all the devices of a general, non-technical education. Absence of such a sense of honor and justice is unnatural, pathological, the worst of diseases, a sign of subnormality, an insanity indicating a state of mind less than human, a "lie in the soul" abhorred alike of men and Gods.¹

As evidence that moral judgment is not a matter for experts, the practise of the Athenian assembly is adduced—where experts are consulted on technical questions, but on questions of general policy *any* citizen is given a hearing. In support of the contention that moral judgment is not the product of a specialized system of education, emphasis is again and again laid upon the fact that men like Themistocles, Pericles, and Thucydides—like Lord Chesterfield in more modern times—failed signally in pedagogic experiments upon their sons or friends among the rising generation. Finally it is urged that universality of this sense of honor and justice is a *sine qua non* of civilized life. Men simply could not live together in cities, could not form a true community, unless they could at least trust one another, and it is a Divine law that the subnormal or mor-

¹Cf. *Protag.* 319 D ff., *Lach.* 194 D ff., *Crito* 47 C-D, *Euthyd.* 287 A, *Rep.* 518 C etc., *Laws* 863 E f., 950 B-C.

ally diseased, if hopelessly incurable, should be put to death.²

In saying, then, that everyone is a judge in matters of conduct, Plato means that we all have the root of the matter in us. He does not mean that our judgment is infallible, or that it is fully developed in each one of us. Differences of moral opinion are only too glaring, in his eyes, and on the question of development of moral judgment, it is one of the main points in dispute between him and the sophists, whether the ordinary institutions of Greek life are capable of developing reliable moral judgment—whether supplemented or not by the services of a professional tutor—or whether a new method of reflection, the liberal, non-technical art of Dialectic, is not essential to the development of a judgment which shall rise above the contradictions, perplexities, and blindness of everyday, conventional morality.

2. *The many.* That the “many”—i.e., the numerical majority—should be regarded by Plato as judges in ethical questions, may seem strange to the reader who has derived from the dialogues the impression that Plato is an intellectual aristocrat who looks down with snobbish superiority upon democratic tendencies of all sorts. And it remains true that he by no means accepts their judgments as final. But a careful examination of the evidence shows that, while often dissenting from their conclusions, he by no means denies them the right and the capacity to judge questions of conduct. Their judgment may not, perhaps, rise much above the level of conventional morality, and may thus come into conflict with his own more highly reflective ethical beliefs, but on the whole it is not the moral judgment of the many, as such, of which he disapproves, but rather the noise and exaggeration with which it tends to be accompanied in the general assemblies, and the unreasoning violence with which decisions superficially arrived

² Cf. *Gorg.* 525 B-D, *Polit.* 302 A-B, 308 E f., *Soph.* 227 D f., *Tim.* 86 B f., *Laws* 957 E.

at are carried out. It is, in other words, the unreasoning and conservative, anti-progressive tendencies of the many, to which the philosopher takes exception. It is not that they judge, but that they so soon cease to judge and proceed at once to hasty action, that he finds worthy of censure—not that they judge, but that they do not judge more.³ It is, in fact, an essential element in his social philosophy that the many should be regarded as capable of recognizing ethical truth when they meet with it, and his one hope for the salvation of society is that the many should come to appreciate the value of a “good pilot,” and trust themselves to the rule of the philosopher-king—a contingency which he regards as by no means impossible. It is, in fact, the social duty of the philosopher who has seen the vision, to return to the cave and educate his less well educated brethren—the many, or at any rate the best of the many. The many, then, are judges in ethical questions, though not, of course, final judges.

How does this position compare with the statement that “everyone” is a judge in such questions? There is, of course, no contradiction. “Everyone” meant, as we saw, any and every normal human being, as such. “The many” means a group of such individuals contributing towards the formation of a group-judgment, and the group-judgment which these individuals form in their various assemblies, whether professional or political, or simply at the gymnasium or theater, would seem to constitute an advance upon the isolated judgments of the same individuals apart from society.⁴ At the same time, it is plain that for further advance Plato expects the many to rise superior to the methods of the theater, the club, or the political assembly. The highest degree of enlightenment is hardly to be looked for in such circumstances.

3. *The interlocutor.* In the third place, it is universally assumed in the dialogues that in the discussion of philo-

³ Cf. *Rep.* 492 A ff., *Laws* 569 Af., 964 D.

⁴ Cf. *Protag.* 319 D.

sophical questions in general, and of ethical questions in particular, one or both of the parties to the discussion possess sufficient judgment to give some kind of decision. At times, this is even stated explicitly, especially in passages where the method itself is under discussion. But it is throughout assumed, not only that one of the parties to the discussion is competent to give some sort of answer, but also that the interlocutor is capable of examining the validity of such answers, when given. This too is frequently recognized explicitly. This capacity of the interlocutor does not seem to be confined to the specific respondent in the discussion, but extends to the bystanders also, whether these in turn take some part in the discussion and thus become respondents—as especially in the *Protagoras*, *Gorgias*, and *Republic*—or whether they remain silent and appreciative listeners who subsequently repeat the whole dialogue at which they were present without taking active part. It is possible also that this capacity is intended to extend to readers of the dialogues, who also in some sort take part in the discussions.⁵

From this brief review of the question, it looks as though under the head of “interlocutor” is included everyone-who-takes-part-in-ethical-discussions. Does Plato’s position here differ at all from his position when he regards everyone without qualification as a judge, or when he regards the many as judges?

In answer to this question we must at once recognize that there are at least certain differences of emphasis. In the unqualified statement that everyone is a judge, stress is laid upon the non-technical character of the moral judgment and upon its social value in cementing the bonds of civic life. In saying that the many are judges, stress is laid upon certain characteristics of Greek public life, and upon the unfavorable nature of such conditions for developing the very highest type of judgment. In saying that the interlocutor is a judge, we pass at once into a different

⁵ As suggested by Bonitz (*Platonische Studien*).

sphere of discourse. Stress is laid here upon the characteristic standards of truth-as-reached-by-two-investigators-working-together—*i.e.*, upon sincere introspection, upon analysis and gradual synthesis, upon consistency and systematic coherence. Socrates *ex professo* does not know the true answer to his questions, but he has a grasp upon the demands of scientific method and can proceed, with the co-operation of his interlocutor, to extend the intellectual context of a given answer and examine the consistency of the statement considered in its wider implications, following the argument whithersoever it may lead. From the point of view, then, of emphasis and immediate context, to say that everyone is a judge, or that the many are judges, is different from saying that the interlocutor is a judge. But from a point of view which enables us to see further than questions of immediate emphasis, there is no doubt a fundamental unity underlying the three different-appearing positions. Everyone has a moral sense, and it is by becoming an interlocutor—*i.e.*, by taking part in ethical discussions which go a little further than mere acceptance of tradition or convention, and which are free from the irrational elements which attend a public debate on political issues—that he develops this moral sense. There is no doubt that practically everyone is regarded by Plato as a possible interlocutor. In none of these cases, however, is the immediately resulting judgment regarded by Plato as in any sense final. The interlocutor is capable of judging, capable—at least in many cases—of becoming a good judge. But just because he is an interlocutor and is capable of this development, it does not follow that he has already completed the process of becoming and has already, in some sense, summed it to infinity.

4. *The good man.* The man of good moral character is always regarded by Plato as a judge whose decisions in matters of conduct are peculiarly trustworthy. It is a principle in the production of such a character that, when young, the good man has undergone no contamination from personal participation in evil. For evil-doing warps

the judgment and gives it a pathological twist. The honorable mind which is to form a healthy judgment must be free from everything pathological, and will be formed upon the pattern of honesty. As Plato expresses it, such a character has in itself the pattern of honesty—*i. e.*, is a personification of the moral standard—and the judgments of such a character result from the direct and immediate application of the moral standard. Hence their accuracy and trustworthiness. In all forms of pleasure, in all forms of art, in all questions of education, and generally in all questions of moral values, his judgment is to be accepted. The man of good moral character is the measure of all things. What he judges to be good, *is* good, and what he judges to be evil, *is* evil. His judgments, unlike those of the ordinary man, are in no sense capricious or subjective. They are objective—in touch with reality—and are through and through rational.

How does the good man compare, as a judge, with the cases previously considered? Like “everyone” and “the many,” he has, of course, a sense of right and wrong. But unlike them, he is utterly uncontaminated, entirely free from any taint of evil which might warp his judgment and obscure his moral vision. He represents human nature at its best, as it can be and as, under a proper system of education, it should be, always true to itself and always in vital contact with the reality of things. As compared with “the interlocutor,” it may be said that the good man takes peculiar pleasure in philosophical discussions and is peculiarly convinced of their value. He may, in fact, be regarded as an interlocutor with an especially fine character. The emphasis, however, is usually upon his moral, rather than upon his intellectual characteristics, and he would not *necessarily* be regarded as a speculative philosopher, but rather as a good citizen. He is, however, always in close sympathy with speculative philosophy.

5. *The experienced man.* On the necessity of a practical experience of men for the judge whose decisions are to be regarded as mature, Plato is very definite. An idealistic

education and environment may plant correct sentiments, true taste, and thoroughly moral habits of thought and action. But these alone are insufficient to fit a man to give judgments in matters of conduct—at least in a way which could be regarded as in some sense final. Youthful enthusiasts trained in idealistic habits of thought are the easiest people in the world to deceive, and, without practical knowledge of the world and worldly ways, the graduate of the seminary is apt to make very false judgments in matters of conduct.⁶ The ideal judge can thus not possibly be a very young man. Experience—usually referred to by Plato as the experience of a long life, the experience which comes with years—gradually gives us the eye to see rightly, an appreciation of the facts of life and of the limitations of theory. It is an experience essentially cognitive in character, containing, as it does, a study and understanding of evil and all forms of vice—subjects which must receive a purely external and objective investigation, if they are not to creep into the mind and poison the judgment.

How does this compare with the previously considered case? The judgment of worldly experience does not always agree with the judgment of the man of moral character, as no one knows better than Plato, and the two are frequently contrasted—usually to the discredit of “experience.” There are, in fact, *two* kinds of experience recognized by Plato, and it is only one of these which is of value for moral judgment. There is, on the one hand, the practical experience which sharpens the wits and opens the eyes, but is pre-eminently non-moral—if not immoral—in character. This is the experience of the legal trickster, of the seeker after immoderate wealth, of the devotee of power infinite who, with all his experiences, is the most miserable of mortals. For experience of this kind, Plato has nothing but condemnation, touched sometimes with pity, and it is only with this kind of experience that the

⁶ *Rep.* 408 D f., 538 C f., *Laws* 951 A f., cf. *Epist.* 322 D-E.

judgment of the man of moral character comes into sharp conflict. On the other hand, there is the late ripening experience of the moral man himself, the man who has within himself the true standard and the correct moral sentiments. He makes practical mistakes at first, no doubt, but it is this man, and no other, to whom experience gives the eye to see rightly. The judge, then, of whom Plato here approves, is the moral man, or man of character, with practical experience superadded.

6. *The wise man.* Just what does Plato understand by the wise man, as a judge in problems of conduct? He means in the first place, the well-balanced man, the man whose nature represents a harmonious balance of its various elements—the various instinctive and emotional impulses—under the rule of reason. The concept of the wise man thus corresponds, in large measure, to the concept of the man of moral education, whose ways of thinking and acting have been organized along ethical lines, but with this difference, that here rather more stress is laid upon the element of reason, intelligence, insight, calculation, scientific method. The conception here is something like Bishop Butler's conception of the enlightened self-interest which deliberates dispassionately in a cool hour upon the plan of life. The wise man is pre-eminently reasonable and prudent. He takes counsel for the good of the *whole* self—not merely for the strictly rational side of our nature⁷—and takes care to maintain the harmonious and well-balanced condition of the mind which is the effect of justice, and thus leads directly to the securing of that rational satisfaction which is true happiness.

In the second place, wisdom involves rational deliberation, with all which this implies. The wise man is "good in counsel," and good counsel can be given only in respect of things concerning which the counselor has accurate knowledge—something more than mere opinion. This

⁷ Plato is no ascetic. Cf. *Phaedo* 64 D-E, 67 A, *Phaedr.* 256 C-D, *Rep.* 571 E-572 A, *Laws* 648 A ff.

does not, however, mean that the wise man is a narrow specialist, in the sense in which a technical expert is a specialist. His is the knowledge which advises, not about some particular thing as such, but about the life-plan or policy of the man as a whole, or—in political life—of the State as a whole. For this purpose, however, it is necessary to know what is for the true interest of the whole and for each of the parts or elements or factions within the whole. In the light of this well-developed sense of values, the wise man develops a certain unswerving singleness of aim, in a way which is typically Platonic.

In the third place, the element of "reason," which is so especially characteristic of wisdom, is regarded as Divine—*i.e.*, as non-materialistic and metaphysical—and is to be developed, not by habit and bodily *askesis*, but by dialectic alone. The concept of the wise man here tends to pass over into the concept of the dialectician.

The wise man, then, is essentially reasonable, sees life whole, and plans for it as a whole. He is no blind opportunist, but has a single well-thought-out plan, in accordance with the nature of the universe in general. This plan, however, is not static, but can be applied in a plastic way to the changing detail of life so characteristic of Fourth Century Greece. As compared with the man of moral character, the wise man is more speculative, but not less ethical. As compared with the man of experience, he is more consciously scientific and methodical, though not less mature in judgment. He is a man of high moral character who is also experienced and has developed the Divine light of reason within him by becoming an interlocutor, a philosophical participant in discussing the fundamental values. The end-goal of his development, and typical form into which the concept is always tending to pass in Plato's hands, is that of the philosopher-king, the personality which unites dialectical ability with practical power in a political sense.

7. *The philosopher.* In stating that the philosopher is a judge in matters of conduct, Plato draws a somewhat sharp

distinction between the actual and the ideal. He emphatically does not mean that the actual votaries of philosophy in his own time—composed, as he believed, largely of men who had strayed into philosophy from other pursuits, and without much natural aptitude or sound training—are to be regarded as authorities in ethics. It is rather the ideal philosopher—a definite construction of his own—whom he has in mind, and there can be no doubt that, as constructed by Plato, the ideal philosopher and the ideal judge in matters of conduct ultimately coincide in all respects. Born under conditions eugenically ideal, of ideally perfect physique and ideally perfect mental and moral qualities, educated in an ideally perfect environment and with due attention to the requirements of practical experience as well as of intellectual development, the resulting dialectician studies the most perfect methods of solving philosophical problems, until he has penetrated to the utmost bounds of the *mundus intelligibilis* and has grasped the unhypothetical first principle of things, the Idea of Good, which is at once the *ratio cognoscentis*, the *ratio cognoscendi*, and the *ratio essendi*, and explicitly transcends the world of existence. From this absolute or final viewpoint, human problems fall into their proper perspective and are judged by the spectator of all time and existence with impartial and unerring accuracy. The instrument of his thought is pure reason, liberated once for all from the misleading influences of instinct, sense-perception, and emotion, and with his new powers of division, classification, and deduction, the dialectician, remaining always within the sphere of pure thought, can reach adequate solutions of any and every question which can arise. His judgments are final, for he sees as God sees, and has an adequate grasp upon the nature of ultimate reality.

How does the philosopher, as a judge, compare with the cases previously considered? Like "everyone," he has, of course, the normal human sense of honor and justice, but unlike everyone, he has received an exceptionally liberal education, designed especially to free him from the mis-

leading influences of instinct, emotion, and prejudices of all sorts, and to turn the eye of the soul towards the light, so that it will see freely and fully. Like "the many," he has all the advantages which can be derived from social intercourse, but unlike them, *his* social experiences, being derived from a highly select group of peculiarly valuable associates, are peculiarly valuable, and are free from the meannesses and degrading prejudices which resulted in the general levelling down of characters and ideals in the democracy of Plato's own time.

Again, the philosopher is an "interlocutor," but a peculiarly well developed interlocutor, a genuine dialectician, no amateur, but a finished master in this most liberal of all arts, with all the natural ability and all the training which the mind of Plato can imagine as helpful. Again, the philosopher has a moral character of the very highest order, partly natural, partly developed by a system of training which selects, by special tests, only the very finest characters for the higher reaches of education. He has practical experience equal to the practical experience of any other citizen, and superior in value, for some men get more out of their experiences than others, and he is already such a man as to extract, from his experiences, the utmost possible value. Again, he is wise, with a well-balanced character which is organized, not according to chance or caprice, but according to a single principle which is identical with the principle of value in the universe—the Idea of Good. Finally, he is more than wise in a merely practical sense; for he fully understands the principle which underlies his own character no less than the universe, and possesses the finest speculative insight also.

In a word, the concept of the philosopher sums up all that is valuable in the other cases considered, and carries those elements of value still further, grounding them in their principle, which the philosopher apprehends in a way which raises him almost beyond the highest levels attainable by humanity. He represents the Platonic conception of the Super-man, and remains the supreme ideal of Greek philosophy.

8. *The legislator.* Who is the legislator, whom Plato regards as a judge in matters of conduct? Like the philosopher, he is an ideal construction of Plato's own. He is, in fact, the philosopher himself, when, the highest vision having been attained, he sets himself, from a sense of duty, to rule the State and to educate the most promising of the younger generation so that they, too, in their turn may become guardians. As a guardian and ruler of the State, he makes laws, and, in the form of legislative enactments, expresses his own moral judgments, with special adaptations to meet the special type of case considered. Thus expressed in the form of laws, his judgments are not final in any static or absolute sense, for they are special applications of general principles to a concrete and admittedly imperfect stage of social evolution. As social evolution of itself brings about new conditions, his judgments—the written laws—will become out of date, and the new generation of law-givers and guardians, acting in his spirit and with the same grasp of principle, will make adjustments to fit the new conditions. These laws, being the standard in accordance with which the censor in matters of art, and the judge in his law-court, render their decisions, sufficiently indicate that the speculative philosopher, when he turns his attention to matters of government and administration, becomes a judge and an inspiration to judges, in a very literal sense. In fine, the guardian or legislator sums up all that is of importance in the characters previously considered, and gives out, in the form of administrative and legal decisions, his judgments on matters of conduct. He is the philosopher become practical.

Summary. To sum up, then, the results of our inquiry: We have seen that, while at first sight there appeared to be no less than eight groups of candidates for the position of judge in matters of conduct, yet, when we examine the cases more closely, there is a certain unity underlying all eight groups. Every normal human being has at least the *Anlage* for moral judgment, and indeed a little more

Vol. XXXI—No. 1. 5

than the Anlage. Social and political intercourse, co-operation in the work of the army, the law-courts, religion, the theater, and the various other institutions of Greek social life, develop the moral sense in a way which, so far as it goes, is genuine and valuable. Practical experience of all sorts, when it is the experience of a man of fundamentally sound character, develops this sense to a much higher degree. Add to these qualities a certain type of intellectual education—by dialectical discussion—and we have the wise man, who, with yet further and more intensive intellectual training, passes over into the philosopher. Finally, the philosopher as ruler gives laws to his State and expresses his moral judgments in a way which is most helpful to his country as well as to himself. There is something of philosophy in every normal human being. Environmental stimulus and dialectical training will bring this out and develop it. This is the principle of unity which entitles members of each one of the eight groups to the position of judge-in-matters-of-conduct. So far as their judgment is philosophical, so far it is valuable.

It might easily be inferred from the above treatment, that every normal human being without exception is capable of developing into a philosopher-king—as though it were purely a matter of the appropriate social and educational milieu. This is, however, far from being the case. Men are born unequal. Some belong to the copper class, others to the silver class. Very few belong by birth to the golden class, and extremely few can pass into it by especial merit from one of the lower classes. And not only is birth—*i.e.*, natural capacity—in favor of small numbers. When it comes to the philosophical education, a still more rigidly selective process takes place. Development is strictly continuous, it is true; but only for those who actually develop. At every step of the educational ladder, psychological tests are applied, and out of the select few who begin, there are very few indeed who reach the higher rungs. Wise men are very few, and of philosophers com-

petent to rule, Plato hardly counts on very many, even in his ideal State.⁸

Our conclusion, then, must be that for Plato, while every normal human being without exception is competent to give some sort of judgment on ethical questions, the judge in the fullest sense of the word is the philosopher, and more particularly the philosopher who has definitely devoted himself to tasks of administration, the guardian or philosopher-king. That is to say, the two answers given to the question. Who is the moral judge? *viz.* (1) every one, and (2) only the philosopher—are partly correct and—at least as ordinarily understood—partly incorrect. The true answer, from the Platonic standpoint, has been sufficiently indicated.

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⁸ Plato usually speaks of the *full* guardians as being very few in number, though of the "auxiliaries," in a city presumably of about 5,040 citizens (*Laws* 737 D. though cf. *Rep.* 423 B-D), there must have been at least 1,000—including both men and women—who succeeded in reaching the middle rungs of the educational ladder (*Rep.* 423 A).